

Office of Planning Board

TOWN OF NORWELL – COUNTY OF PLYMOUTH  
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**Norwell Planning Board Meeting Minutes  
12/11/2019**

The meeting was called to order at 6:35 P.M. with Chair Brendan Sullivan presiding. Also present were Town Planner Kenneth Kirkland and Board Members Brian Greenberg and Scott Fitzgerald. Unable to attend was Jamie Crystal-Lowry. The meeting was held in the Planning Dept. Office.

**CALL TO ORDER/AGENDA**

*Motion by Mr. Fitzgerald to open the meeting. Duly seconded and unanimously voted.*

*Motion by Mr. Fitzgerald to approve the agenda as submitted. Duly seconded and unanimously voted.*

**APPROVAL OF MINUTES**

The minutes of the November 20, 2019 meeting were distributed and reviewed.

*Motion by Mr. Fitzgerald to approve the Minutes of the November 20 meeting as submitted. Duly seconded and unanimously voted.*

**BILLS**

The following invoices were presented for approval:

Christopher Sullivan	Meeting Minutes (12/11)	\$150.00
MCLE	Legal Education Text	\$273.50
WoltersKluwer		\$482.86
W.B. Mason	Office Supplies	\$204.71
BETA Group	Pathway Phase III redesign	\$3,600.00

Mr. Kirkland advised that BETA had sent in an additional narrative regarding the \$3,600 invoice; the additional charges were for changes to the original plan to address conservation and other design issues. The invoice will be paid out of the Pathways Phase III account.

*Motion by Mr. Fitzgerald to approve the invoices as submitted. Duly seconded and unanimously voted.*

*Motion by Mr. Fitzgerald to approve the invoices as submitted. Duly seconded and unanimously voted.*

**CITIZEN COMMENTARY**

None

**APPOINTMENT**

**Potential Site Plan Review Submission**

Public Informational

22 Pond Street

McLaren Boston – Showroom Expansion

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Mike Hilsinger, ConServ Group, present to discuss and seek feedback on a proposal by client McLaren Boston to expand its auto showroom and indoor vehicle storage area in order to meet new manufacturer requirements. Their most recent proposal adds on to the existing building, rather than adding a separate building as originally envisaged, but would require variances from ZBA as to building coverage and open space. They would like feedback from the PB as to whether this latest proposal, including variances, would be viable before creating more detailed plans.

The Board reviewed the conceptual site plan provided for discussion. Chair Sullivan noted that the PB could recommend the granting of certain waivers, but ZBA has the last word on whether they are granted. With the concurrence of Messrs. Fitzgerald and Greenberg, he recommended that Applicants focus on stormwater management in particular, given the increase in impervious space; the additional roof space would to some extent make it easier to treat.

**Appointment of New Member - Joint Meeting with Board of Selectmen**

Ellen Allen, Jason Brown, Alison Demong, and Bruce Graham present for the Board of Selectmen (BOS), along with Town Administrator Peter Morin.

Ms. Allen noted that the BOS was charged with temporarily filling Patrick Campbell's seat on the PB until the Town Election in May. Messrs. Don Mauch and Brad Washburn both expressed interest in the seat. Mr. Graham also suggested Mr. Mark P. Bailey, who had served two (2) terms with him on the PB, but agreed that Messrs. Mauch and Washburn were also well qualified.

Ms. Allen noted that Mr. Washburn had served on the PB for six (6) years, and was currently the Director of Planning and Development in Scituate. He has also been involved with the MAPC project at Queen Anne's corner, and could take Mr. Campbell's place as MAPC liaison. Ms. Demong recommended that Mr. Washburn fill the seat given his involvement with MAPC and the need for a PB liaison to same.

Chair Sullivan supported Mr. Washburn as a strong candidate, but was unsure if he would run for the seat in the spring. Mr. Fitzgerald questioned Washburn's availability for meetings; Ms. Allen indicated that Washburn was aware of the PB's meeting schedule and presumably had checked his own schedule.

Mr. Brown noted that he had worked with Mr. Mauch for years, and felt Mauch had done very thorough work for the Planning Department; he had not worked directly with Mr. Washburn, but had no other issues with his appointment. Chair Sullivan and Mr. Fitzgerald agreed that Mr. Mauch

had ran the Department effectively after the departure of previous planner Chris Diorio. Mr. Graham expressed concern at Mauch's appointment to the seat based on what he characterized as a fundamental misunderstanding Mauch had of the purpose of the Open Space Bylaw, the effect an amendment he proposed to the Bylaw would have, and a misrepresentation of then-planner Todd Thomas' opinion regarding the Bylaw at Town Meeting. However, Mr. Graham indicated that Mauch subsequently admitted he had been mistaken about the issue, and acknowledged his knowledge and qualifications. Selectmen Allen and Demong expressed concern at Mr. Mauch's stances on the construction of affordable housing and the Main Street sidewalk, and questioned whether he could be an effective liaison to MAPC.

Mr. Brown asked the Board if a candidate's intent to run for the seat in May was an important factor. Chair Sullivan's only concern was that it may cause quorum issues if hearings were continued and a new member took the seat in May. After some further discussion, BOS voted 3-1-0 to appoint Mr. Washburn to fill Mr. Campbell's seat.

### **SUBDIVISIONS AND LAND DEVELOPMENTS**

**Hitchin Post Lane – 5-Lot OSRD Residential Subdivision**

***Continued Public Hearing***

OSRD Special Permit / OSRD Development Plan

Circuit Street

Assessor's Map 25A, Block 69, Lots 25 & 26

Applicant Mark Raimondi present along with Gary James, James Engineering, and one (1) area resident.

Mr. James noted that the latest proposal is for a five-lot OSRD with a 670-ft roadway; five (5) of the sixteen (16) acres would be developed, and 10.6 acres would be conveyed back to the Town. They are seeking waivers as to roadway width and sidewalks on both sides of the road. They will be filing with the Conservation Commission in the spring to make water main and culvert improvements in conjunction with the Town's repaving of Circuit Street.

The five (5) lots are proposed to be about 30,000 sq. ft. each, with 3,200 sq. ft. houses, each of which having two-car garage and its own septic system. Percolation tests on all lots were successful. The cul-de-sac will be elevated 2-3 ft. above the existing grade.

Mr. James indicated that about 55% of the 10.6 acres donated to the Town would be upland, and the donation would connect to adjoining Town lots to make a single, connected parcel. He also noted that all development would be outside the 100-ft. wetland buffer except for a wetland crossing, thus avoiding the need for most Conservation Commission permitting.

In response to queries from Chair Sullivan, Mr. Kirkland indicated that drainage calculations were not necessary at this time, as the development is still in the special permitting process; Mr. Chessia was still reviewing Applicant's latest submission. Chair Sullivan noted that the filing deadline was three (3) weeks in advance of the hearing to allow sufficient time for the Planning Board's Engineer and Town Planner to review and comment.

Todd McCaughey, 268 River, asked if granting the requested waivers would affect how many houses could be built on the site; Mr. Kirkland indicated that Applicant would not get additional lots as a result of the waivers. After further discussion, Applicant consented to a continuation.

*Motion by Mr. Greenberg to continue the public hearing to January 22 at 7:15 PM. Duly seconded and unanimously voted.*

**ZONING BYLAW AMENDMENTS**

**Sign Bylaw Revision** – Proposed Zoning Bylaw Amendment  
***Public Hearing***

Mr. Fitzgerald read the Notice of Public Hearing.

Mr. Kirkland noted that the proposed amended originated with complaints the Board of Selectmen had received from businesses in Town regarding signage restrictions. BOS notified Mr. Kirkland and Building Inspector Thomas Barry, and both parties met with business Owners, including the Norwell and South Shore Chambers of Commerce, for their feedback and concerns. The proposed changes are based on this feedback and aim to address business concerns while reducing visual clutter caused by excessive A-Frame and board signs along Washington Street; they also seek to provide specific guidelines and permitted signage for Norwell Center as opposed to Washington Street and the industrial parks. There are no changes as to prohibited types of signage.

The amendments propose to increase the allowed square footage for freestanding and wall signs, with different allowable dimensions for the Business A (Town Center) and Business B (Washington St., Accord Park, and Assinippi Park) districts. Based on existing Bylaws in Hanover and Ipswich to encourage hanging signs, businesses in Norwell Center (Business A) would be allowed one (1) such sign, up to eight (8) sq. ft., by-right. U.S., State, Service Branch, and “Open” flags would also be allowed by-right; pennants, streamers, and feather banners would be prohibited as they tend to get worn and are often neglected over time.

Also proposed is a deposit requirement for temporary signs that is refundable if the signs are removed within thirty (30) days; Mr. Kirkland noted that this would also allow for the tracking of businesses that frequently use such signage and pinpoint problematic signage. The proposed amendments are on the warrant for the February Special Town Meeting.

*Motion by Mr. Fitzgerald to endorse the signage bylaw amendments as proposed. Duly seconded and unanimously voted.*

*Motion by Mr. Greenberg to close the public hearing. Duly seconded and unanimously voted.*

**MS4 Stormwater Bylaw Revision** – Proposed Zoning Bylaw Amendment  
***Public Hearing***

Mr. Fitzgerald read the Notice of Public Hearing.

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Melissa Recos, BETA Group, present along with contractor Steve Bjorklund. Both have been part of a “stormwater working group” composed of Mr. Kirkland, Conservation Agent Nancy Hemingway, Selectman Bruce Graham, Highway Surveyor Glenn Ferguson, and other officials and residents to propose updates to the MS4 Stormwater Bylaw required by Federal regulations to reduce stormwater pollution.

Ms. Recos advised that the EPA has identified stormwater runoff as the biggest source of waterway pollution, and the MS4 Bylaw update is intended to educate the public, and reduce and treat runoff. The working group is recommending that a MS4 permit be required for all projects with greater than 1/3 acre (15,000 sq. ft.) disturbance, down from the 1 acre (43, 560 sq. ft.) threshold set in the existing Stormwater Bylaw, and that permitting be handled by the Conservation Commission. Projects with less than 15,000 sq. ft. cumulative disturbance would be reviewed administratively by the Conservation Agent; commercial projects, or projects with greater than 15,000 sq. ft. disturbance, would trigger a more extensive review. Mr. Kirkland added that the MS4 regulations were currently contained in the Zoning Bylaw, and would need to move to the General Bylaws if Conservation was to be the permitting authority.

Mr. Greenberg noted that the number of projects requiring review in a Town with a 1 acre minimum lot size was likely to be large, and expressed concern at the potential cost and regulatory burden on small projects, to the point where residents may be tempted to skirt the regulations. He also asked whether any disturbance and/or increase in impervious surface would trigger a review. Ms. Recos indicated that the proposed revisions allowed for certain exemptions, such as for maintenance. Mr. Kirkland added that they were considering adding a “menu” of mitigation activities that would allow homeowners to avoid review.

Chair Sullivan felt that 15,000 sq. ft. disturbance was a reasonable threshold compared to area Towns, noting that Cohasset’s was 5,000 sq. ft., but would like to see “disturbance” defined in a narrower fashion. He also agreed that a minimum threshold should apply to impervious surface increase as opposed to any such increase requiring review. Mr. Kirkland noted that Scituate specified a certain percentage of impervious surface increase as its criteria for review. Mr. Bjorklund agreed that minimum thresholds were needed, citing delays in the review process in Scituate, but also agreed with the need to control stormwater on job sites and felt the majority of disruption was caused by a handful of developers.

Mr. Bjorklund added that Highway Surveyor Ferguson was particularly concerned with work site runoff draining towards the street; he constructs a swale on his own projects to prevent such drainage, and feels this could be done in most projects. Mr. Greenberg suggested that installation of infiltrators from a Town-approved list, or a Bylaw requiring silt sock erosion control on all construction projects might be preferable to individualized project reviews.

Ms. Recos added that they (the working group) did not want any professional engineering work to be required at the administrative review level, particularly for projects where engineered plans were not already required. Chair Sullivan noted that the proposed coefficient for determining “impervious surface” seemed to be low and questioned whether it should be higher. Mr. Bjorklund felt the intent was to capture gravel driveways for possible review. Mr. Kirkland noted that the PB can recommend certain amendments along with its endorsement.

*Motion by Mr. Fitzgerald to continue the public hearing to January 8 at 7:15 PM. Duly seconded and unanimously voted.*

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### **ENDORSEMENTS**

**Schooner Estates** – 9-Lot Residential Subdivision  
Definitive Subdivision Plan / Approval Not Required (ANR) Plan  
Stetson Road  
Assessor’s Map 29A, Block 76, Lots 4, 6, 8-11, 17, 18, 20, & 43

Al Loomis present along with Mark McSharry. Mr. Loomis indicated he had made a minor revision to the construction plans in response to comments from the Planning Board’s Engineer; the changes are set forth in their response letter.

Mr. Kirkland indicated that he was waiting on Town Counsel to review the HOA documentation, but noted that the language substantially matched that for the Old Oaken Bucket Estates subdivision, and he did not anticipate any issues. As per the authorizing vote taken at the previous meeting, Mr. Kirkland will endorse the plans once the final review from Mr. Chessia comes in, and any remaining comments addressed. Mr. Kirkland noted that he did not anticipate any further engineering commentary, but defers to Chessia Consulting Services regarding engineering comments as he is not qualified to address those issues himself.

### **MISCELLANEOUS**

#### **FY2021 Planning Department Budget**

Mr. Kirkland advised that the FY 2021 budget was level-funded at the request of Town Administrator Morin, with no requested increases except for step increases in salaries as set by collective bargaining. Mr. Kirkland noted that the previously-budgeted legal education texts were purchased and arrived in the office.

Mr. Greenberg asked about the purpose of the Engineering Services line item; Town Planner Kirkland indicated that this item provided funds for Chessia Consulting Services to review something not directly related to a filing that would normally be paid for by an Applicant.

*Motion by Mr. Fitzgerald to approve the FY 2021 level services budget as submitted. Duly seconded and unanimously voted.*

The approved budget was then signed by all members present.

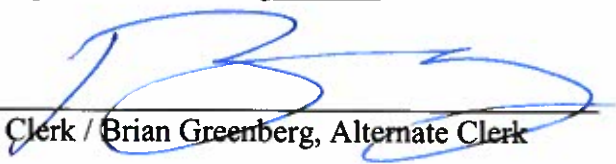
### **NEXT MEETING**

January 8, 2020 – Town Hall, Room 112, 7 pm

### **ADJOURNMENT**

*There being no further business, motion was made by Mr. Greenberg to adjourn at 9:05 P.M. Duly seconded and unanimously voted.*

I certify that the above minutes were reviewed and approved by a majority vote of the Planning Board on January 8, 2020.



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Scott Fitzgerald, Clerk / Brian Greenberg, Alternate Clerk

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